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8 MINGHUI JIANG,  
9 Plaintiff,

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11 v.  
12 TRACTOR SUPPLY COMPANY,  
13 Defendant.

14 Case No. 24-cv-09279 NC  
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**ORDER TO DEFENDANT TO  
SHOW CAUSE WHY CASE  
SHOULD NOT BE REMANDED  
BACK TO STATE COURT FOR  
LACK OF FEDERAL SUBJECT  
MATTER JURISDICTION**

19 Re: ECF 1  
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Defendant Tractor Supply Company removed this civil case to this court from Santa Clara County Superior Court on December 20, 2024. ECF 1. This Order requires the Defendant to “show cause” by filing a written response by January 6, 2025, explaining why the case should not be remanded back to Superior Court due to a lack of federal subject matter jurisdiction.

The federal courts are courts of “limited jurisdiction” and only have jurisdiction as authorized by the Constitution and Congress. *Owen Equip. & Erection Co. v. Kroger*, 437 U.S. 365, 374 (1978). The party seeking to invoke federal court jurisdiction has the burden of establishing that federal subject matter jurisdiction exists. *Scott v. Breeland*, 792

United States District Court  
Northern District of California

1 F.2d 925, 927 (9th Cir. 1986). The Court must presume a lack of jurisdiction until the  
2 party asserting jurisdiction establishes otherwise. *Id.* Doubts as to removability are  
3 resolved in favor of remanding the case back to state court. *Gaus v. Miles, Inc.*, 980 F.2d  
4 564, 566 (9th Cir. 1992).

5 Here, Tractor Supply Company asserts that removal is based on diversity  
6 jurisdiction. 28 U.S.C. § 1332. But Tractor Supply provides incomplete or insufficient  
7 information to support diversity jurisdiction. In paragraph 5 of the removal notice it states  
8 it is a “limited liability company.” But “for the purposes of diversity . . . an LLC is a  
9 citizen of every state of which its owners/members are citizens.” *Johnson v. Columbia*  
10 *Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). Without information on the  
11 citizenship of Tractor Supply Company’s owners/members, this Court cannot assess  
12 whether complete diversity exists.

13 Accordingly, Tractor Supply Company must show in writing by January 6, 2025,  
14 how diversity jurisdiction is satisfied. Plaintiff Jiang has no burden but may respond by  
15 January 13, 2025, if desired.

16 **IT IS SO ORDERED.**

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18 Dated: December 23, 2024

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21 NATHANAEL M. COUSINS  
22 United States Magistrate Judge

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